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8	UNITED STATES DISTRICT COURT
9	DISTRICT OF NEVADA
10	UNITED STATES OF AMERICA,)
11	Case No. 2:17-cr-00059-JCM-NJK Plaintiff(s),
12	v. ORDER
13	CHRISTOPHER PHERNAMBUCO, (Docket No. 24)
14	Defendant(s).
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16	On June 8, 2017, Defendant filed a notice of assertion of right regarding shackling. Docket No. 23.
17	The notice relates to the issuance of the <i>en banc</i> decision in <i>United States v. Sanchez-Gomez</i> , F.3d,
18	2017 WL 2346995 (9th Cir. May 31, 2017). On June 13, 2017, the Government moved to strike that
19	notice, arguing that it mischaracterizes the Ninth Circuit's decision. Docket No. 24. These filings are not
20	tethered to any particular hearing, shackling request, or shackling determination. There is no live justiciable
21	dispute before the Court. Accordingly, the motion to strike is DENIED without prejudice to the parties
22	addressing the issues at an appropriate time if necessary.
23	IT IS SO ORDERED
24	Dated: June 22, 2017
25	NANCY J. KOPPE
26	United States Magistrate Judge
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28	¹ On June 16, 2017, the Ninth Circuit entered a 90-day stay of the issuance of the mandate.